

**Amendments to the Drawings**

Amendment is by replacement sheets. Please substitute the attached replacement sheets 1-5 for the corresponding pages in the application.

### **REMARKS**

Claims 1-39 are pending in the application. Claims 21-27 are withdrawn. Claims 1-20 are allowed. Claim 28 is currently amended.

Claim 28 has been amended to recite that electronic ballot information includes control information that links defined ballot elements to provide a structure for control of the ballot focus. Support for this amendment is found in paragraphs 56 and 57 of the published patent application, and other places in the specification.

Claim 28-39 34 and 35 stand rejected under 35 U.S.C. §103(a) over United States Patent No. 4,010,353 issued to Moldovan in view of United States Patent No. 3,941,976 issued to Huhn and United States Patent No., 6,178,338 issued to Yamagishi. Moldovan '353 is used to show a vote recording system that lacks a rotary input device. Huhn '976 and Yamagishi '338 are used to show an input area that utilizes a rotary input device.

Amended claim 28 distinguishes the combination of references by reciting that the electronic ballot information includes control information that links defined ballot elements to define a structure for control of the ballot focus in a ballot navigation function. Huhn '976 is silent as to any use of control information in this manner, as is the case in the passage from column 6 at lines 10-35. According to this passage, the voter may press an interlock button to retrieve "questions" that are ballot choices for presentation to the voter. Huhn '976 does not teach or suggest the use of control information in the manner that is claimed. The dial or thumb wheel thereof does not control navigation of the ballot focus according to control information.

Yamagishi '338 in the passage from column 3 at line 66 to column 4 at line 14 merely discusses the navigation of a focus element through a series of telephone numbers in a cellular telephone. This type of navigation has nothing to do with electronic ballot information. To exemplify this concern, an electronic voting system that is configured with the controls of Yamagishi '338 might permit a voter to dial home, but the system would be

useless for casting votes. This would lead to an inoperable result. Yamagishi '338 is also not properly combined to form the rejection. Yamagishi '338 is nonanalogous art where those skilled in the art of voting system design would not generally consult the cellular telephone art. None of the references provide a suggestion or motivation to introduce aspects of cellular telephone systems into a voting system.


It is respectfully submitted that the claims are allowable for the reasons discussed above. Applicant's attorney earnestly solicits a Notice of Allowance.

Applicant submits herewith a revised set of drawings that include changes to Figures 1-8. These changes do not include new matter, as they merely formalize the material of the previous drawings.

Applicant hereby authorizes the required fee for the three month extension of time to be charged to Deposit Account No. 12-0600. Applicant believes no further fees are due, however, if any fee is deemed necessary in connection with this Amendment and Response, please charge Deposit Account No. 12-0600.

Respectfully submitted,

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